

**REMARKS**

The present amendments and remarks are responsive to an Office Action mailed July 14, 2005, where the Examiner has rejected claims 2, 4-16, and 18-20. Herein, applicant has amended independent claims 2 and 16. Reconsideration and allowance of pending claims 2, 4-16, and 18-20 is respectfully requested in view of the following remarks.

**A. Response to Rejection of Claims under 35 U.S.C. §103**

In the office action, the Examiner rejects claims 2, 4, 5, 8-16, 19, and 20 under 35 U.S.C. §103(a) as being unpatentable over U.S. patent 6,775,548 ("Rong") in view of U.S. patent 6,212,399 ("Kumar") and further in view of U.S. patent 6,434,135 ("Ozluturk"). The Examiner also rejects claims 6, 7, and 18 under 35 U.S.C. §103(a) as being unpatentable over U.S. patent 6,775,548 ("Rong") in view of U.S. patent 6,212,399 ("Kumar") and further in view of U.S. patent 6,434,135 ("Ozluturk") and further in view of applicant's disclosed background art.

In rejecting the independent claims 2 and 16, the Examiner first cites to Rong, but acknowledging that Rong "fails to teach measuring transmitter's output power ...". The Examiner then notes that "the measuring step is not tied to the rest of the steps of the claim, and determination of patentability cannot depend on this stand-alone single step". To find this standalone measuring step, the Examiner cites Kumar, which is newly identified art.

The applicant appreciates the Examiner's direct analysis of the patentability issue, and therefore has amended claims 2 and 16 to more directly "tie" the measuring step to the other claim limitations. In particular, the applicant has amended claims 2 and 16 so that "determining a projected output power" is in part based upon "the measured output power".

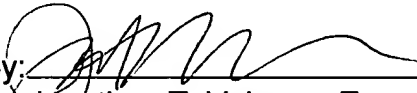
The applicant believes that the amendments to claims 2 and 16 address the patentability issue raised by Examiner, and submit that claims 2 and 16, as well as their dependent claims are now in a condition for allowance.

**B. Conclusion**

The applicant believes the pending claims are patentably distinguishable from all cited references. For all the foregoing reasons, an early allowance of claims 2, 4-16, and 18-20 pending in the present application is respectfully requested.

Respectfully submitted,

Dated: Oct 12, 2005

By:   
Jonathan T. Velasco, Esq.  
Attorney for Applicant  
Reg. No.: 42,200

Jonathan T. Velasco, Esq.  
Kyocera Wireless Corp.  
Attn: Patent Department  
P.O. Box 928289  
San Diego, California 92192-8289  
Tel: (858) 882-3501  
Fax: (858) 882-2485